

Attorney Docket No. 041544-5100

2828

PATENT  
TECHNOLOGY CENTER 2800  
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50138

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Shinichi TAKAHASHI et al. )  
Application No.: 09/770,673 ) Group Art Unit: 2828  
Filed: January 29, 2001 ) Examiner: J. Menefee  
For: OPTICAL PICKUP APPARATUS AND )  
LASER DIODE CHIP )

Commissioner for Patents  
Washington, D.C. 20231

Sir:

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment responding to the Office Action dated June 5, 2002.
2. Additional papers enclosed:

- Request for Approval of Drawing Change (with marked-up Fig. 1 attached)  
 Information Disclosure Statement  
 Form PTO-1449, \_\_\_\_ references included  
 Citations  
 Declaration of Biological Deposit  
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$ 1,440.00	\$ 720.00

Extension of time fee due with this request: \$\_\_\_\_\_

If an additional extension of time is required, please consider this a Petition therefor.

- An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

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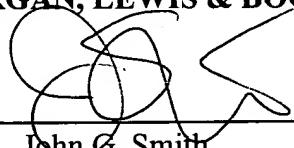
CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	5	minus	20	0	x \$18 each=	+ \$0
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	0	x \$84 each=	+ \$0
[ ] First presentation of Multiple dependent claim(s)						\$280.00
SUB-TOTAL =						\$0
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$ 0

6. Fee Payment

- No fee is to be paid at this time.
- Check in the amount of \$ \_\_\_\_ for \_\_\_\_\_. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.
- The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: \_\_\_\_\_  
  
 John G. Smith  
 Reg. No. 33,818

Dated: September 4, 2002

**CUSTOMER NO. 09629**

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PATENT  
Attorney Docket No. 041514-5106

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LASER DIODE CHIP )

Commissioner for Patents  
Washington, DC 20231

Sir:

REQUEST FOR APPROVAL OF DRAWING CHANGE

*Approved  
Jm 9/17/02*  
Subject to the approval of the Examiner, it is respectfully requested that in Fig. 1, the legend "Prior Art" be added, as indicated in red on the attached drawing sheet for the above-identified application.

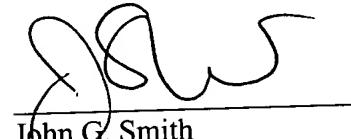
It is respectfully submitted that the change introduces no new matter as it conforms to the specification and/or drawing as originally filed, pursuant to 37 C.F.R. § 1.81(d). Applicants respectfully request that the submission of the revised formal drawing be deferred until after the approval of the proposed change.

If any fee is due in connection with the filing of this paper, please charge the fees to our  
Deposit Account No. 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By:



John G. Smith  
Reg. No. 33,818

Dated: September 4, 2002

**Customer No.: 009629**

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